

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**VERONICA LASSITER,**

**Plaintiff,**

**v.**

**No. 17-cv-0850 JCH/SMV**

**HIDALGO MEDICAL SERVICES and  
DAN OTERO,**

**Defendants.**

**ORDER AWARDING EXPENSES UNDER RULE 37**

THIS MATTER is before the Court on Defendant Hidalgo Medical Services' Affidavit of Costs [Doc. 104],<sup>1</sup> filed on May 23, 2018. On May 16, 2018, the Court granted Defendant's Motion to Compel [Doc. 93] and further ordered that Plaintiff pay Defendant's reasonable expenses, including attorney's fees, incurred in making their motion. [Doc. 102] at 5 (citing Fed. R. Civ. P. 37(a)(5)). Defendant claims \$3,089.50 in expenses. [Doc. 104] at 1. Plaintiff has not objected to the amount or reasonableness of the claimed expenses, and the time for doing so has passed. Further, the Court finds that the requested \$3,089.50 is reasonable.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that, no later than **June 28, 2018**, Plaintiff pay Defendant Hidalgo Medical Services \$3,089.50, which is the reasonable expenses incurred in making its Motion to Compel [Doc. 93]. *See* Fed. R. Civ. P. 37(a)(5).

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<sup>1</sup> Defendant initially filed an affidavit of costs that did not include the exhibit referenced in the affidavit. [Doc. 103]. Defendant subsequently filed an identical "corrected" affidavit of costs, including the exhibit. [Doc. 104].

**IT IS SO ORDERED.**

A handwritten signature in black ink, appearing to read 'S. Vidmar', is positioned above a horizontal line.

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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**